

Honorable Benjamin H. Settle

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WASHINGTON
AT TACOMA

NORTHWEST PIPE COMPANY, a
Washington corporation,

Plaintiff,

v.

THE PHOENIX INSURANCE COMPANY, a
foreign insurer authorized by the Washington
insurance commissioner, TRAVELERS
PROPERTY CASUALTY COMPANY OF
AMERICA, a foreign insurer authorized by the
Washington insurance commissioner, and
ALLIED WORLD NATIONAL
ASSURANCE COMPANY, a foreign insurer
authorized by the Washington insurance
commissioner,

Defendants.

Case No.: 21-5652 BHS

**JOINT STATUS REPORT AND ORDER
REGARDING SETTLEMENT AND
DISMISSAL**

TO: The Clerk of the Court;

AND TO: All Parties and their Counsel of Record.

On April 22, 2022, the parties filed a Notice of Conditional Settlement (the “Notice”),
notifying this Court that any and all claims against all parties in this action have been
conditionally resolved through settlement. The Court acknowledged the Notice and set a
deadline of October 19, 2022 for the filing of dismissal papers. (Dkt. 31.)

As explained in the Notice, settlement of this insurance coverage action is conditioned upon full and final settlement of the underlying action captioned *Minako America Corporation v. County of Los Angeles, et al.*, Riverside County Superior Court Case No. RIC1816838, which requires approval by local governmental authorities, as well as the execution of a formal settlement agreement and mutual release resolving this insurance coverage action. Finalization of the underlying settlement agreement is taking longer than anticipated, with the parties to the underlying action recently stipulating to continue a settlement status hearing (*i.e.*, the underlying parties' effective deadline to finalize the settlement) until January 26, 2023. (See attached Exhibit A.) Because the settlement of this insurance coverage action cannot be finalized until the underlying settlement is finalized, the parties request that this Court continue the deadline to file dismissal papers to February 3, 2023.

Respectfully submitted this 13th day of October, 2022.

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11 **I. ORDER**

12 Pursuant to the parties' stipulation, IT IS SO ORDERED:

13 Dated this 13th day of October, 2022.

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18 BENJAMIN H. SETTLE
United States District Judge

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20 Jointly Presented by:
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22 /s/Bradley Hoff

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